

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 1:12-CR-872
)	
CHERRON MARIE PHILLIPS)	

MOTION FOR ORDER EXPUNGING FRAUDULENT LIENS

The United States respectfully moves the Court, in conjunction with the sentencing of the defendant in this case, to issue an order pursuant to its authority under the All Writs Act, 28 U.S.C. § 1651(a) declaring that each of the twelve liens at issue in this case (1) is false, fraudulent, null and void; (2) is released, withdrawn, removed, and expunged from the record; and (3) shall be afforded no legal force or effect whatsoever. The United States also requests that the Court include in its order a directive that the United States shall promptly record a certified copy of the order and a certified copy of the final judgment in this case with the Recorder of Deeds for Cook County, Illinois.

In further support of this Motion, the United States avers as follows:

1. Under the All Writs Act, Congress delegated to the federal courts the authority to issue “all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” 28 U.S.C. § 1651(a). The Act has been interpreted to empower a federal court “to issue such commands . . . as may be necessary or appropriate to effectuate and prevent the frustration of orders it has previously issued in its exercise of jurisdiction otherwise obtained.” *Thorogood v. Sears*, 678 F.3d 546, 548 (7th Cir. 2012) (quoting *United States v. New York Telephone Co.*, 434 U.S. 159, 172 (1977)).

2. As this Court has already recognized, the 12 false liens filed by the defendant with the Cook County Recorder of Deeds – each claiming a debt of \$100 billion owed to her brother – “will remain impressed forever.” Doc. #202 at 24. “When one of the victims attempts to sell their real estate, they are going to have to satisfy a buyer along with their title company that the liens ought to be held for naught. Eventually, they will prevail, as the liens are impotent, but that will not occur without some legal handiwork and expense and may necessitate a suit to quiet title.” *Id.*

3. Not only will this crime continue to affect the federal officials who were targeted in this case, but it will also impact their families, creditors, and those with whom they may seek to transact business in the future. Furthermore, at least two official victims testified at the trial that the property associated with the liens recorded against them does not actually belong to them, which means that the true owners of those properties have also been victimized by the defendant.

4. By providing the relief sought in this motion, the Court will assist the victims in their efforts to alleviate the harm caused by the defendant’s crimes. It will also effectuate at least one of the goals of sentencing: to protect the public.

Respectfully submitted this the 10th day of October, 2014.

ERIC H. HOLDER, JR.
Attorney General of the United States

s/ Nathan D. Stump
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CERTIFICATE OF SERVICE

I, Nathan D. Stump, Assistant United States Attorney, hereby certify that on this the 10th day of October, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically serve a copy upon all counsel of record, including Lauren Weil Solomon, Esq., counsel for defendant.

/s/ Nathan D. Stump
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